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ALPHA & OMEGA SEMICONDUCTOR,
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LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALPHA & OMEGA SEMICONDUCTOR,
INC., a California corporation; and
ALPHA & OMEGA SEMICONDUCTOR,
LTD., a Bermuda corporation,

Plaintiffs and Counterdefendants,

v.

FAIRCHILD SEMICONDUCTOR
CORP., a Delaware corporation,

Defendant and Counterclaimant.

AND RELATED COUNTERCLAIMS

Case No. C 07-2638 JSW (EDL)
(Consolidated with Case No. C 07-2664 JSW)

**STIPULATION AND ~~PROPOSED~~
ORDER GRANTING LEAVE TO
SUPPLEMENT DISCLOSURES UNDER
PATENT LOCAL RULE 3-3**

Judge: Hon. Elizabeth D. Laporte

STIPULATION

WHEREAS Alpha & Omega Semiconductor, Inc., Alpha & Omega Semiconductor, Ltd. (collectively "AOS") and Fairchild Semiconductor Corporation ("Fairchild") are parties to the above-captioned matters.

WHEREAS, on November 29, 2007, AOS served preliminary invalidity contentions ("P.L.R. 3-3 Disclosures") for U.S. Patent Nos. 6,429,481 ("the '481 patent"), 6,521,497 ("the '497 patent"), 6,710,406 ("the '406 patent"), 6,828,195 ("the '195 patent"), 7,148,111 ("the '111 patent"), and 6,818,947 ("the '947 patent") (collectively, "the Asserted Fairchild Patents").

WHEREAS, on November 29, 2007, Fairchild served P.L.R. 3-3 Disclosures for U.S. Patent Nos. 5,767,567 ("the '567 patent"), 5,907,776 ("the '776 patent") and 5,930,630 ("the '630 patent") (collectively, "the Asserted AOS Patents").

WHEREAS, each party discovered prior art during discovery and the claim construction proceedings in this action that, in that party's view, may be invalidating prior art to one or more of the Asserted Fairchild Patents or the Asserted AOS Patents.

WHEREAS, each party seeks to amend its P.L.R. 3-3 Disclosures to include prior art discovered during discovery or the claim construction proceedings in this action.

WHEREAS, AOS served proposed amended P.L.R. 3-3 Disclosures, titled "AOS's Third Supplemental Preliminary Invalidity Contentions," on September 24, 2008, and Fairchild served proposed amended P.L.R. 3-3 Disclosures, titled "Fairchild Semiconductor Corporation's Supplemental Preliminary Invalidity Contentions," on August 22, 2008;

WHEREAS, each party reserves the right to raise additional claim construction issues in the future to the extent such issues arise from the amendment or supplementation of the other party's P.L.R. 3-3 Disclosures herein.

IT IS THEREFORE STIPULATED by and between the parties, through their undersigned counsel of record, that pursuant to Northern District of California Patent Local Rule 3-7,

(a) each party shall be permitted to supplement its preliminary invalidity contentions to reflect the changes described above without prejudice to further amendments as permitted by the Court; and

1 (b) Fairchild's Supplemental Preliminary Invalidity Contentions served on August 22,
2 2008 shall constitute Fairchild's preliminary invalidity contentions in this action for the Asserted
3 AOS Patents; and

4 (c) AOS's Third Supplemental Preliminary Invalidity Contentions served on
5 September 24, 2008 shall constitute AOS's preliminary invalidity contentions in this action for the
6 Asserted Fairchild Patents.

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1 IT IS SO AGREED AND STIPULATED.

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3 Dated: September 26, 2008

MORGAN, LEWIS & BOCKIUS LLP

4 By: /s/

5 Andrew J. Wu
6 Attorneys for Plaintiffs and
7 Counterdefendants
8 ALPHA & OMEGA SEMICONDUCTOR,
9 LTD., AND ALPHA & OMEGA
10 SEMICONDUCTOR, INC.

11
12 Dated: September 26, 2008

TOWNSEND AND TOWNSEND AND
CREW LLP

13 By: /s/

14 Matthew R. Hulse
15 Attorneys for Defendant and
16 Counterclaimant
17 FAIRCHILD SEMICONDUCTOR
18 CORPORATION

19 **[PROPOSED] ORDER**

20 Pursuant to the parties' stipulation set forth above,

21 **IT IS SO ORDERED.**

22 Dated: September 29, 2008

